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15 Attorneys for Plaintiffs

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 JESSIEL GERARDO, EMMANUEL
19 JIMENEZ-RAMIREZ, ABEL LOPEZ-
20 JEIMENEZ, AND CARLOS LOPEZ, on
21 behalf of themselves and others similarly
22 situated,

23 Plaintiffs,

24 v.

25 QUONG HOP AND CO., AND FRANK
26 STEPHENS,

27 Defendants.

28 Case No. C08-03953 JF

29 **[PROPOSED] ORDER GRANTING**
30 **PLAINTIFFS' MOTION FOR FINAL**
31 **APPROVAL OF CLASS ACTION SETTLEMENT**
32 **AND AN ORDER FOR DISTRIBUTION AND**
33 **CYPRESS PAYMENT, AND AWARDING**
34 **ATTORNEY'S FEES**

35 Date: November 20, 2009

36 Time: 9:00 AM

37 Judge: Honorable Jeremy Fogel

38 On July 7, 2009, this Court entered Order 1) Granting Preliminary Approval of
39 Settlement, 2) Granting Provisional Class Certification, 3) Directing Distribution of Notice Of
40 Settlement, and 4) Setting Schedule For Final Approval Process.

41 Currently before the Court is Plaintiffs' Motion for Final Approval of Class Action
42 Settlement and An Order for Distribution And *Cy Pres* Payment, and Class Counsel's Motion
43 for Mandatory Award of Attorney's Fees and Costs. Plaintiffs seek an order directing
44 Defendants to pay a total \$ 87,710.67. The specified sum includes \$ 73,358.73 to be distributed

45 **[PROPOSED] ORDER GRANTING MOTION FOR FINAL APPROVAL OF CLASS**
46 **ACTION SETTLEMENT AND AWARDING ATTORNEY'S FEES**

1 to the various class members who have made their claims during the class claim period and
2 \$14,351.94 to be paid to Legal Aid Society-Employment Law Center's Worker Rights Legal
3 Clinics according to *Cy Press* doctrine. Also before the Court is Class Counsel's motion to
4 award mandatory attorney's fees and costs based on lodestar basis for a total amount of \$53,000.
5 Both motions are unopposed.

6 After reviewing the motion papers, and files in this case, the Court hereby grants
7 Plaintiffs' motion for final approval of the class action settlement, directing Defendants to pay
8 total \$87,710.67 pursuant to the settlement agreement previously approved by this Court. The
9 Court hereby authorizes class counsel to (i) distribute the total \$73,358.73 to the various class
members as indicated in the moving papers; and (ii) remit \$14,351.94 to Legal Aid Society-
10 Employment Law Center's Worker Rights Legal Clinics under the *Cy Press* doctrine.

11 Court also grants Class Counsel's motion for attorney's fees and costs, hereby directing
12 Defendants to pay \$53,000 to Class Counsel within 10 days from the entry of this Order.

13 IT IS SO ORDERED.

14
15 Dated: November 20, 2009

16 By: 
JEREMY FOGEL
United States District Judge

[PROPOSED] ORDER GRANTING MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND AWARDING ATTORNEY'S FEES